

PCM8.13.20
USAO# 2020R00453/LNE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

**JAMES BENNETT,
Defendant.**

CRIMINAL NO. CCB-21-0135

**(Possession
with the Intent to Distribute
Controlled Substances, 21 U.S.C. §
841; Possession of a Firearm in
Furtherance of a Drug Trafficking
Crime, 18 U.S.C. § 924 (c); Possession
of a Firearm and Ammunition by a
Prohibited Person, 18 U.S.C.
§ 922(g)(1); Forfeiture, 18 U.S.C.
§ 924(d), 28 U.S.C. § 2461(c), 21 U.S.C.
§ 853)**

INDICTMENT

COUNT ONE

(Possession with Intent to Distribute Cocaine)


The Grand Jury for the District of Maryland further charges that:

On or about May 18, 2020, in the District of Maryland, the defendant,

JAMES BENNETT

did knowingly and intentionally possess with intent to distribute a mixture or substance containing
a detectable amount of cocaine, a Schedule II controlled substance.

21 U.S.C. § 841(a)
18 U.S.C. § 2

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
2021 APR 28 P 5:05
CLERK'S OFFICE
AT GREENBELT
BY  DEPUTY

COUNT TWO

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

The Grand Jury for the District of Maryland further charges that:

On or about May 18, 2020, in the District of Maryland, the defendant,

JAMES BENNETT

did knowingly possess a firearm, to wit: a Glock 22C .40 caliber S&W semi-automatic pistol with serial number FXT422, and 18 rounds of .40 caliber ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit,

Possess

with the Intent to Distribute Controlled Substances, in violation of Title 21, United States Code, Section 841, as alleged in Count One of this Indictment, which is incorporated herein by reference.

18 U.S.C. § 924(c)

18 U.S.C. § 2

COUNT THREE
(Felon In Possession of Firearm and Ammunition)

The Grand Jury for the District of Maryland charges that:

On or about May 18, 2020, in the District of Maryland, the defendant,

JAMES BENNETT

knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, to wit: a Glock 22C .40 caliber S&W semi-automatic pistol with serial number FXT422, and 18 rounds of .40 caliber ammunition, and the firearm and ammunition were in and affecting commerce.

18 U.S.C. § 922(g)

FORFEITURE

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction(s).

Narcotics Forfeiture

2. Pursuant to 21 U.S.C. § 853(a), upon conviction of an offense in violation of the Controlled Substances Act, as alleged in the Narcotics Count(s), the defendant(s) convicted of such offense(s), shall forfeit to the United States of America:

- a. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such offense(s); and
- b. any property used, or intended to be used, in any manner or part, to commit, or facilitate the commission of, such offense(s).

Firearms and Ammunition Forfeiture

3. Pursuant to 18 U.S.C. § 924(d), upon conviction of an offense(s) alleged in Firearms Count(s), the defendant(s) convicted of such offense(s) shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in those offense(s).

Substitute Assets

4. Pursuant to 21 U.S.C. § 853(p), if any of the property described above as being subject to forfeiture, as a result of any act or omission by the Defendant(s):

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been comingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the Defendant(s) up to the value of the property charged with forfeiture in the paragraphs above.

Property Subject to Forfeiture

5. The property to be forfeited includes, but is not limited to, the following:
- a. a Glock 22C .40 caliber S&W semi-automatic pistol with serial number FXT422; and
 - b. approximately 18 rounds of .40 caliber ammunition.

18 U.S.C. § 924(d)
28 U.S.C. § 2461(c)
21 U.S.C. § 853

Jonathan F. Lenzner /s RPG

Jonathan F. Lenzner
Acting United States Attorney

A TRUE BILL:

[REDACTED]

Foreperson

[REDACTED]

Date

[Signature]
4/28/21